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FAX COVER SHEET

Date: June 16, 2005

Client/Matter Number: 87289.1762

Law Number: 6475

Recipient(s):

Name	Company	Fax Number	Phone Number
OFFICE OF PETITIONS	U.S. Patent and Trademark Office	703 872-9306	

From: Dennis P. Cawley

Re: Petition Under 37 C.F.R. §3.81(b)

Pages (Including Cover Sheet): 9

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MESSAGE:

CERTIFICATION

I hereby certify that a Petition Under 37 C.F.R. §3.81(b) is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. 703 872-9306) on June 16, 2005. This facsimile transmission includes a total of 9 pages.

Ayanna K. Cunningham

If this transmission is not complete, please call Ayanna K. Cunningham at (202) 861-1727.

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. *If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via the U.S. Postal Service. Thank you.*

PAGE 1/9 * RCVD AT 6/16/2005 11:19:06 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:202 861 1783 * DURATION (mm-ss):02-24

OIPE JC#9 JUN 16 2005 PATENT & TRADEMARK OFFICE

Docket No. 87289.1762
Customer No. 30734

PATENT

2005 JUN 22 AM 3:12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re U.S. Patent No.: 6,882,949 B2)
)
Inventors: Charles G. BUTTS, et al.)
)
Issue Date: April 19, 2005)
)
For: METHOD AND APPARATUS FOR TESTING HEAT PUMPS

PETITION UNDER 37 C.F.R. §3.81(b)

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MAIL STOP - PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §3.81(b), this is a Petition for correction to the Assignee name, as it was incorrectly listed on the Issue Fee Transmittal form (the Issue Fee was paid June 9, 2004) as "Kenro Laboratory Products, Inc." instead of --Kendro Laboratory Products, Inc--.

The aforementioned error is of a clerical or typographical nature, and failure to include the correct Assignee name on the PTOL-85B was inadvertent. A copy of the Notice of Recordation of Assignment which includes the correct spelling of the Assignee name, along with the reel and frame number and the recordation date, is attached.

Authorization is hereby given to charge Deposit Account No. 50-2036 the amount of $130 (the fee set forth in 37 C.F.R. § 1.117(h)) to cover the cost of filing this Petition. Authorization is also given to credit any overpayment of the fees due in connection with the filing of this Petition to Deposit Account No. 50-2036.

06/23/2005 DALLEN 00000006 502036 09876038
01 FC:1464 130.00 DA

If the U.S. Patent and Trademark Office grants the Applicants' Petition, we respectfully request that the file be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction.

Respectfully submitted,

BAKER & HOSTETLER LLP

Dennis P. Cawley
Reg. No. 44,598

Date: 6/16/05

Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Phone: (202) 861-1500

OIPE JC68
JUN 16 2005
PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 26, 2001

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

PEPPER HAMILTON LLP
KENNETH J. SHEEHAN
600 FOURTEENTH STREET, N.W
WASHINGTON, DC 20005-2004

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/15/2001

REEL/FRAME: 012256/0341
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
BUTTS, CHARLES G.

DOC DATE: 09/28/2001

ASSIGNOR:
BAIR III, RICHARD H.

DOC DATE: 09/28/2001

ASSIGNOR:
LUNSFORD, MARK R.

DOC DATE: 09/28/2001

ASSIGNEE:
KENDRO LABORATORY PRODUCTS, INC.
275 AIKEN ROAD
ASHEVILLE, NORTH CAROLINA 28804

SERIAL NUMBER: 09876038
PATENT NUMBER:

FILING DATE: 06/08/2001
ISSUE DATE:

012256/0341 PAGE 2

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
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FORM PTO-1596
1-31-92 Patent and Trademark Office

U.S. DEPARTMENT OF COMMERCE

10.15.01

DOCKET NO.: 114300-1762 **PATENTS ONLY**

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereto:

1. Name of conveying party(ies):

Charles G. Butts, Richard H. Bair, III and Mark R. Lunsford

Additional name(s) of conveying party(ies) attached? __ Yes X No

3. Nature of conveyance:

X Assignment __ Merger

__ Security Agreement __ Change of Name

__ Other _____

Execution Date: September 28, 2001

2. Name and address of receiving party(ies):

Name: Kendro Laboratory Products, LP

Internal Address: _____

Street Address: 275 Aiken Road

City: Asheville State/Country: NC ZIP: 28804

Additional name(s) & address(es) attached? _ Yes X No

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4. Application number(s) or patent number(s):

If the document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

09/876,038

B. Patent No(s).

Additional numbers attached? _ Yes X No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: PEPPER HAMILTON LLP

Internal Address: _____

Street Address: 600 Fourteenth Street, N.W.

City: Washington State: DC ZIP: 20005-2004

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) $40.00

X Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

50-0436

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kenneth J. Sheehan, Registration No. 36,270
Name and Registration No. of Person Signing

Signature

10/15/01
Date

Total number of pages: 4

CMB No. 0851-0011 (exp. 4/94)

DC: #196733 v1 (47ST01!.DOC) 114300-1762

10/16/2001 TDIAZ1 00000121 09876038
01 FC:482 40.00 OP

Docket No.: 114300-1762
Customer No.: 21269

ASSIGNMENT

WHEREAS We, Charles G. Butts, Richard H. Bair, III, and Mark R. Lunsford, having an address of 2 Robin Lane, Weaverville, NC 28787; 20 Marlwood Court, Asheville, NC; and 39 Spring Hill Circle, Arden, NC 28704, respectively, ("Assignor"), have made a certain new and useful invention as set forth in an application for United States Letters Patent entitled METHOD AND APPARATUS FOR TESTING HEAT PUMPS, executed by me on the date of execution of this document, as shown below and filed concurrently herewith;

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OR

for which an application for United States Letters Patent was filed on June 8, 2001, and identified by United States Serial No. 09/876,038;

AND WHEREAS, Kendro Laboratory Products, Inc., having an address of 275 Aiken Road, Asheville, NC 28804, ("Assignee"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, transfer and set over unto Assignee, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention, including the right to claim priority under 35 U.S.C. §119 and the right to sue for past infringement, as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATION, Assignor hereby agrees with the said Assignee that Assignor will not execute any writing or do any act whatsoever conflicting with these presents, and that Assignor will, at any time upon request, without further or additional consideration but at the expense of said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of Assignor and Assignee;

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

AND Assignor requests the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Assignee, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

9-28-01
Date

Charles G. Butts

STATE OF North Carolina)
) SS:
COUNTY OF Buncombe)

On this 28th day of Sept., 2001, before me personally appeared Charles G. Butts to me known to be the persons named in and who executed the above instrument, and acknowledged to me that they executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires 8/28/05

28-Sep-01
Date

Richard H. Bair III

STATE OF North Carolina)
) SS:
COUNTY OF Buncombe)

On this 28th day of Sept, 2001, before me personally appeared Richard H. Bair, III to me known to be the persons named in and who executed the above instrument, and acknowledged to me that they executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires 8/28/05

PAGE 8/9 * RCVD AT 6/16/2005 11:19:06 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:202 861 1783 * DURATION (mm-ss):02-24

Docket No.: 114300-1762

9-28-01
Date

Mark R. Lunsford
Mark R. Lunsford

STATE OF North Carolina)
) SS:
COUNTY OF Buncombe)

On this 28th day of Sept, 2001, before me personally appeared Mark R. Lunsford to me known to be the persons named in and who executed the above instrument, and acknowledged to me that they executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires 8/28/05

(NOTE: Legalization is not required for recording, but is *prima facie* evidence of execution under 35 U.S.C. 261).

DC: #195374 v1 (46R201!.DOC) 114300-1762

PAGE 9/9 * RCVD AT 6/16/2005 11:19:06 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:202 861 1783 * DURATION (mm-ss):02-24